

I. REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action of April 24, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. As a result of this Amendment, claims 1 and 4 have been amended. Claims 12-25 were previously withdrawn. Claims 1-11 remain in the Application.

In paragraph 3 at page 2 of the Office Action, Claims 1-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,825,875 to Strub *et al.* (hereinafter Strub) in view of U.S. Patent No. 7,336,266 to Hayward *et al.* (hereinafter Hayward).

In paragraph 4 at page 7 of the Office Action, Claims 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,825,875 to Strub in view of Hayward and further in view of U.S. Patent No. 6,549,915 to Abbott, III *et al.* (hereinafter Abbott).

II. Applicant's Invention

It may be helpful to reiterate certain aspects of Applicant's invention prior to addressing the references cited in the Office Action. One embodiment of the invention, as typified by Independent Claim 1, describes a system of recording and distributing a multimedia presentation of an event experienced by a participant to a portable communication device comprising at least one digital camera for recording the event experienced by the participant in a video presentation, a haptic information generator for generating signals simulating the motion experienced at the event, a processor for combining the haptic information with the video presentation forming the multimedia presentation, and a wireless transmitter for transmitting the multimedia presentation to the portable communication device having a vibration device within the portable communication device that is selectively activated in accordance with the haptic information.

III. The Claims Define Over the Prior Art

Claims 1-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,825,875 to Strub in view of Hayward. Strub discusses a hybrid recording system that includes a portable video recorder and auxiliary device that enables "low attention recording" that requires little interaction from the person recording the events. The auxiliary device in Strub does not record or provide for haptics. Instead, the auxiliary device can be a

position sensor such as a GPS receiver or tilt sensor or heart rate monitoring device. See col. 5, lines 49-67. Strub only refers to producing visual and/or aural phenomenon (see col. 7, lines 1-10) and not haptic or tactile responses as claimed. Furthermore, Strub fails to discuss, suggest, mention or contemplate the presentation of the multimedia presentation on a mobile communication device, let alone a mobile communication device having a vibrator that selectively activates in accordance with the haptic information captured during the recording of an event.

Similarly, Hayward fails to discuss, suggest, mention or contemplate the presentation of the multimedia presentation on a mobile communication device, let alone a mobile communication device having a vibrator that selectively activates in accordance with the haptic information captured during the recording of an event. Instead, Hayward discusses an actuator that provides in a mouse pad that is a fixed item and not anything remotely resembling a portable communication device. In this regard, the fixed mouse pad of Hayward teaches away from providing haptic output in a portable or mobile communication device. One of ordinary skill in the art would fail to conceive or contemplate the claimed embodiments in view of the teachings of Strub and Hayward.

With respect to claims 2 and 3, note that Hayward uses haptic effects to complement sound effects in video games or other virtual reality environments and does not appear to record haptics in conjunction with events as actually experienced by a participant in an event.

With respect to claim 6, Strub refers to a family trip to an amusement park as an example of a group event where an experience can be shared from multiple perspectives from different members of the group. Claim 6 is not directed necessarily to a group perspective and is just enumerating different types of events that can be experienced using Applicant's unique method and system. One of the events can be an amusement ride such as a roller coaster for example.

Claims 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Strub in view of Hayward and further in view of Abbott. In addition to the deficiencies already noted above with respect to Strub and Hayward, Abbot likewise fails to discuss, suggest, mention or contemplate the presentation of the multimedia presentation on a mobile communication device, let alone a mobile communication device having a vibrator that selectively activates in accordance with the haptic information captured during the recording of an event. Abbot merely discusses a system for computer based storing of information about a current state to augment

Appln. No. 10/666,612
Amendment dated July 23, 2008
Regarding Office Action dated April 24, 2008
Docket No. 7463-26

human memories during later recall. The current state information includes video, audio and textual information. One of ordinary skill in the art would fail to find the amended claims obvious in view of Strub, Hayward or Abbot either alone or in any combination.

IV. CONCLUSION

Applicants believe that this application is now in full condition for allowance. Allowance is therefore respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: July 23, 2008

/Pablo Meles/
Pablo Meles, Reg. No. 33,739
AKERMAN SENTERFITT
Customer No. 55794
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (954) 463-2700